

USSN 09/803,778  
Mapleson *et al.*  
Page -5-

**Remarks**

Claims 1-19 were present in the application as filed. By preliminary amendment filed with the initial application papers, claim 6 was canceled and claim 20 was added, thereby resulting in pending claims 1-5 and 7-20. Claims 1-5 were amended in a paper that was filed contemporaneously with the filing of a Request for Continued Examination under 37 C.F.R. 1.114 to remove the finality of a final Office Action mailed July 7, 2003. In response to a non-final Office Action mailed February 18, 2004, claim 1 was amended and claim 20 was canceled. Claim 1 was further amended and claim 18 was cancelled in a paper that was filed contemporaneously with the filing of a second Request for Continue Examination to remove the finality of a final Office Action mailed November 5, 2004. Claims 1-5, 7-17 and 19 were pending in the application. In response to a non-final Office Action dated September 7, 2005, claim 1 was amended. Claims 1, and 14-16 are amended herein and claims 9-13 are cancelled. Claims 1-5, 7, 8, 14-17 and 19 are currently pending in the application.

The withdrawal of claim rejections under 35 U.S.C. §112, second paragraph from the previous Office Action is acknowledged.

**Rejection Under 35 U.S.C. §112, first paragraph**

Claims 1-5, 7-17 and 19 are rejected under 35 U.S.C. §112 as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s) had possession of the claimed invention.

Independent claim 1, as amended above, is directed to a specific embodiment of the invention; the amendment is fully supported by the disclosure on page 17 of the specification.

USSN 09/803,778

Mapleson *et al.*

Page -6-

Favorable reconsideration and prompt allowance of the claims, as amended, is respectfully requested. The Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below if further clarification is required.

Respectfully submitted,

Date: October 23, 2006



Kathy Smith Dias

Attorney for Applicants

Registration Number 41,707

HESLIN ROTHENBERG FARLEY & MESITI P.C.

5 Columbia Circle

Albany, New York 12203

Telephone: (518) 452-5600

Facsimile: (518) 452-5579